

**WARREN CITY COUNCIL
REGULAR MEETING
NOVEMBER 17, 2008 – 7:30 PM**

OPENING OF REGULAR MEETING

Mayor Mark A. Phillips presided over the November 17 regular meeting of Warren City Council in Council Chambers of the Municipal Building and opened the meeting with the Pledge of Allegiance. Mayor Phillips announced that Council met in Executive Session regarding real property matters immediately prior to this meeting.

ROLL CALL

Members present and responding to roll call were: Mayor Mark Phillips, Dr. Howard Ferguson, Jr., Mr. John Lewis, Mr. Christopher Park, Mr. James Zavinski, Sr., and Miss Jocelin Thomas, Junior Council Member. Mr. Maurice Cashman and Mr. Scott Pascuzzi were absent. Mr. Nelles, Mr. Hammond, Mr. Hildebrand, Mrs. Leary, Mr. Ordiway, Chief Pascuzzi, Mrs. Risinger, Mr. Sceiford, and Chief Zydonik of City staff were also in attendance.

APPROVAL OF MINUTES

Upon motion by Mr. Zavinski and second by Mr. Lewis, the minutes of the October 20, 2008, Public Hearing and Regular Meeting were unanimously approved by members present.

RECOGNITION OF VISITORS

Mayor Phillips welcomed all visitors. Present were Dan Glotz; Farley Wright; Tim Greenlund; Michelle Gray; Christine Cheronis, Warren Main Street Manager; and Chuck Hayes of the Times Observer.

CORRESPONDENCE

The following items of correspondence were presented by Mayor Phillips and Mr. Nelles:

- a. Warren County Humane Society – declining the City's offer to accept control and maintenance of the fence dividing the Humane Society grounds and the Department of Public Works complex.
- b. Mrs. Karen Davis – requesting Council's consideration of her reappointment as the City's representative to the Warren-Forest Counties Economic Opportunity Council (EOC). Upon motion by Dr. Ferguson and second by Mr. Lewis, Council members present voted unanimously to appoint Mrs. Davis as the City's representative to the EOC for 2009.
- c. Also included with Mrs. Davis' correspondence was a packet of information pertaining to programs offered by the EOC.
- d. Superior Tire & Rubber Corp. – notice of application to the PA Department of Environmental Protection, Bureau of Air Quality Control, for renewal of an existing operating permit.

DEPARTMENT REPORTS OCTOBER, 2008

Police Department. Chief Zydonik reported that he attended a two-week police executive course. The Department's Investigating Officer remains active with a wide variety of cases and his work has allowed patrol officers to increase their work on proactive patrols. The Community Service Officer continues to cover supervision of a platoon due to a sergeant's illness. It was noted that Departmental overtime saw a reduction of 58 hours over the previous month and a year-to-date reduction of 536 hours as compared to 2007. Twenty-eight hours of overtime in October were attributed to police presence during Warren Area High School football games and the Homecoming parade and bonfire. Halloween patrols generated four hours of overtime.

Fire Department. Chief Pascuzzi presented the report and noted that the Department's participation in Fire Prevention Week included a kick-off event at Betts Park, the School-to-Work Program's Junior/Senior Career Days, and the Senior Citizens' Expo. In each case, fire safety and prevention materials were distributed and videos shown. At the Betts Park event, instruction on the use of fire extinguishers was provided. In keeping with the Fire Prevention Week theme, "Preventing and Surviving Home Fires," several public service announcements regarding the importance of smoke detectors and practicing home fire drills were released. Smoke and carbon monoxide detectors donated by Lowe's Home Improvement were distributed. A total of 32 classes were provided to 1192 persons during the month.

Personnel attended the PA Career Chiefs' Association meeting held at the Butler County Community College. The Association meets quarterly to discuss legislative and other issues and is currently working to expand grant opportunities in Pennsylvania for career fire departments.

Department of Public Works. Mr. Ordiway presented the report and noted that the Fall Cleanup Program will continue until all roadside leaf piles have been collected or winter weather halts collections. The Prospect Street Improvement Project was completed, including minor restoration and alterations. Also completed were the Bituminous Milling and Resurfacing Project and spot patching of deteriorated sections of St. Clair Street, Lexington Avenue, and Madison Avenue. The Jefferson Run Storm Sewer Project is nearing completion.

In response to Mr. Zavinski's question regarding the number of tree removals, Mr. Ordiway indicated that any tree removed by the City has been deemed to be dead, diseased, or a public hazard and must be removed. He further noted that recently a large number of trees have been removed by a utility company and that the City Arborist has worked with the utility to determine which trees should be removed and which may be saved. Mr. Nelles added that the City recently planted 25 to 30 replacement trees and funding for additional plantings is included in the 2009 proposed budget.

Building Inspection Department. Mr. Nelles presented the report and noted the Department's administrative and enforcement activities for the month. It was also noted that October marked the first month in quite some time that there was no enforcement action for junk/unlicensed vehicles. Mr. Nelles stated that the 2009 proposed budget includes provisions to return the number of code officials to three.

AREA AGENCY ON AGING – EXPERIENCE, INC. GRANT FUNDING APPLICATION

Mr. Hildebrand reported that the Environmental Protection Agency (EPA) Aging Initiative is seeking proposals for a new grant opportunity for Building Healthy Communities for Active Aging: Training and Demonstration Projects. Grant proposals must include a strategy for accomplishing one of the following two goals: (1) Training older adults to be environmental leaders on local planning decisions that affect their community's built environment; or (2) Demonstrating how greenways and sustainable streets can improve the quality of life for persons of all ages while improving environmental quality. The Area Agency on Aging – Experience Incorporated is requesting that the City of Warren partner with their organization on this funding application. As a partner, the City must provide a letter of support indicating the City's role in the project.

Dan Glotz, of the Warren County Planning and Zoning Office, and Farley Wright, of Experience, Inc., were present and described the planned project in accord with goal number two which would provide for the development of intermodal corridors utilizing environmentally friendly and "cutting edge" planning to utilize and network available trailways.

Mr. Lewis made the motion to direct the City Manager to provide the required letter of support. The motion was seconded by Dr. Ferguson and carried unanimously among the Council members present.

REQUEST FOR USE OF CITY PROPERTY/STREETS

Diane Kelly Memorial 5k Run & Walk. The Warren County YMCA requested the use of streets for the running of the Tenth Annual Diane Kelly Memorial 5k Run and Walk on Saturday, March 21, 2009 from 10:00 AM to 11:00 AM. The requested streets were Lexington, Parker, Pennsylvania Avenue, Marion, Madison, Jackson, Buchanan, Jefferson, and Conewango Avenue. Police assistance (as available) was requested at the intersections of Pennsylvania Avenue and Parker Street, Jackson Avenue and Buchanan Street, and Conewango Avenue and Pennsylvania Avenue.

Upon motion by Mr. Lewis and second by Dr. Ferguson, Council members present voted unanimously to approve the Tenth Annual Diane Kelly Memorial 5k Run and Walk.

March for Babies. The March of Dimes requested the use of Betts Park (entire) for the annual March for Babies to be held from 7:00 AM to 7:00 PM on Sunday, April 26, 2009.

Upon motion by Mr. Zavinski and second by Dr. Ferguson, the March for Babies event was unanimously approved by the Council members present.

Santa Family Fun Run/Walk. Christine Cheronis, Warren Main Street Manager, was present and requested the closure of Hickory Street between Pennsylvania Avenue and Third Avenue between 1:00 PM and 2:15 PM and Liberty Street between Second and Third Avenues from 1:00 PM to 3:00 PM on Sunday, December 7, 2008 for this event.

Upon motion by Dr. Ferguson and second by Mr. Lewis, the request was approved unanimously by the Council members present.

HISTORICAL SOCIETY PRESENTATION AND REQUEST FOR FUNDING

Michelle Grey, Managing Director, and Timothy Greenlund, member of the Board of Directors, addressed Council. Mr. Greenlund noted that the Society's mission is to "preserve, protect, and educate" regarding the Society's holdings of artifacts and memorabilia. He further stated that heritage information is provided to all within Warren County as well as those visiting the area. Mr. Greenlund noted the Society's funding sources and requested Council's consideration of a contribution in the amount of \$3000 for 2009.

Mayor Phillips acknowledged Council's prior receipt of a written request for Historical Society funding and requested that Council be provided with information pertaining to support provided by other communities within Warren County.

PROPOSED ZONING ORDINANCE AMENDMENT: NO-IMPACT HOME-BASED BUSINESS

Mr. Hildebrand stated that the City of Warren Zoning Ordinance currently contains regulations specific to home occupations. However, to ensure compliance with the Pennsylvania Planning Code, the Planning Commission and City staff have drafted No-Impact Home-Based Business Regulation language to replace the current Home Occupation Regulations. Prior to enactment of any ordinance which would amend the Zoning Ordinance, it is required that the City of Warren Planning Commission review the proposed regulations and provide any recommendations they may have. It is also required that Council hold a Public Hearing regarding the proposed regulations.

Mr. Park made the motion to refer the proposed amendment to the Zoning Ordinance to the City of Warren Planning Commission for their review and recommendation and to set the time for a Public Hearing at 7:30 PM on January 19, 2009 immediately prior to the regular meeting of Council. The motion was seconded by Mr. Zavinski and carried unanimously among the Council members present.

PENNDOT INTERGOVERNMENTAL COOPERATIVE SALT SUPPLY AGREEMENT

Mr. Ordiway stated that, due to current shortages, it has become very difficult for communities in Pennsylvania to purchase road salt. Recognizing the serious consequences of municipalities not being able to purchase adequate supplies of road salt, PennDOT has developed an Intergovernmental Cooperative Supply Agreement to facilitate the purchase of salt directly from the State at \$76.95 per ton. Under the agreement, the City would be required to pick up the salt at a designated regional PennDOT storage site on an as-needed basis.

The City has purchased and stockpiled salt under the most-recent contract. However, pending the severity of the winter weather, it is possible that this supply would not be sufficient. Mr. Ordiway indicated that the City would not be obligated to make purchases under the State agreement and would be free to make purchases elsewhere if a lower price was available.

Upon motion by Mr. Lewis and second by Mr. Park, Council members present voted unanimously to approve the resolution authorizing the Intergovernmental Cooperative Supply Agreement with PennDOT for the purchase of road salt.

DOWNTOWN REVITALIZATION PROJECT SUPPLEMENTAL SERVICES AGREEMENT

Mr. Ordiway stated that the City is in receipt of a request from Downtown Streetscape Revitalization Project consultants, E.G. & G., Inc., for fees due to supplemental services. This would be Amendment No. 3 to Phase 1A of the Project and pertains to the engineering of the underground electrical distribution system for Penelec. Mr. Nelles noted that the project will be bid by line item and, if necessary to balance the project budget, items may be cut.

Mr. Lewis made the motion to approve Amendment No. 3 to the Agreement for Professional Services. The motion was seconded by Dr. Ferguson and carried unanimously among the Council members present.

2009 BUDGET PUBLIC HEARING DATE

Mr. Nelles stated that in accordance with the City's Local Charter, a Public Hearing must be held with at least fifteen days Public Notice before final adoption of the 2009 Municipal Budget.

Upon motion by Dr. Ferguson and second by Mr. Zavinski, Council members present voted unanimously to set the 2009 Budget Public Hearing for Friday, December 5, 2008, at 5:00 PM in Council Chambers of the Municipal Building.

APPROVED MINUTES OF BOARDS AND COMMISSIONS

Council acknowledged receipt of the following approved minutes:

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|---------------------------------|---|--------------------|-----------------|
| Parks and Recreation Commission | - | August 5, 2008 | Regular Meeting |
| Street Landscape Committee | - | September 23, 2008 | Regular Meeting |

ADJOURNMENT

There being no further business to come before Council, Mayor Phillips declared the meeting adjourned.